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Development Management Service  
Planning and Development  
London Borough of Islington  
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**Date:** 9 March 2017

**Our ref:** 07072/02/IR/SH/13491836v3

**Your ref:** P2015/0330/FUL

Dear Mr Kaimakamis

## **Proposed Development at Exan Coachworks and Islington Arts Factory, Parkhurst Road: Application Ref. P2015/0330/FUL (Amended Proposals)**

We refer to the above development proposal and the amendments made in January 2017 to planning application ref. P2015/0330/FUL, originally submitted in March 2015. This letter follows a comprehensive response submitted to the Council on 15 April 2015, as set out at Appendix 1, on behalf of our client Nexlynn Limited, trading as the Exan Coachworks Accident Repair Centre (Exan). Exan has occupied 392 Camden Road for over 40 years and is also the leaseholder of the "Island Site" known as the Athenaeum Service Station (forming part of the application site) which it has occupied for the purpose of its business (car storage/workshop/office) since 1997. The City of London Corporation is Exan's landlord for this Island Site.

The background to Exan's role in the local area is comprehensively set out in our April 2015 representations. In summary, Exan is a leading accident repair centre and provides a vital role in the motor and insurance industries for car owners in north London. The business currently employs 26 staff (which increases seasonally) some of whom live in the Borough of Islington, and has trained many new employees and school leavers through apprenticeship programmes. Exan is therefore an important contributor, directly and indirectly, to the borough's economy.

We have reviewed the amended proposals on behalf of Exan and set out our comments below. We consider that there are outstanding issues with this scheme which require addressing before it is progressed to Planning Committee.

### **Representations**

We have provided comment based on the representations submitted in April 2015.

### **Alternative Premises and Business Floorspace**

As set out previously, Exan cannot operate without the Island Site currently leased from the City of London. Whilst Exan remains willing to discuss the relocation of the business to an alternative location with both the City of London and the Council, no offer has been made. This is essential to ensure our client's business will not suffer as a result of the proposed development.

Islington's policies afford strong protection to this site and its businesses; it is a designated Employment Growth Area (EGA) where employment uses are protected and strictly controlled. While we welcome the scheme amendments to increase the employment space to 546sqm, addressing our comments on the unjustified loss of employment floorspace in the EGA, it is not clear what the proposed nature of the B1 space now proposed will be and how this will support the wider EGA and its primary economic function. As set out in the Council's policy DM5.1, EGAs require a mix of complementary uses which support the future growth of its primary economic function. Further details on how the generic B1 space will support and/or complement Exan's operations at 392 Camden Road should be requested prior to the application being determined, to ensure the EGA, and its existing businesses, are protected. This should be subject to stringent condition, should planning permission be forthcoming.

### **Planning Statement**

The Planning Statement not been updated to reflect our comments and incorrectly refers to the former Petrol Filling Station (PFS) being used for car storage (B8 use) with 124sqm floorspace on site. As stated in our 2015 representations, cars are stored on the external forecourt as part of the car repair business (i.e. they are rotated on a short term basis as they are queued and repaired) but the building on site comprises 200sqm of floorspace, 140sqm of which is a workshop and 60sqm of which is in office use (ancillary to the operations at 392 Camden Road). The role of each part of this site is vital to the continued operation of the Exan business, as it has been for the last 20 years.

Paragraph 2.11 still incorrectly refers to car parking on the site for approximately 30 cars at any one time. The site, however, can accommodate 48 cars on the forecourt (which is almost always at capacity) and six cars within the workshop; the site therefore has capacity for a total of 54 cars when parked comfortably, with capacity for additional cars during busy periods by implementing a tighter parking layout.

The revised Planning Statement has been updated to account for the existing D1 floorspace of 959.7sqm. We note, however, that the revised proposals re-provide only 791sqm, falling short of the existing provision. While we appreciate there has been an increase in floorspace from the 2015 scheme, it is not clear why the full extent of the existing D1 floorspace has not been re-provided in the new scheme. If this is due to the specific requirements of the IAF, then we would expect a statement to be provided which sets out how the existing space is used and how the proposed space will function, to ensure there is no shortfall in provision or loss to the local community, as required by Policy DM4.12.

### **Design**

We reiterate that the Athenaeum that was previously located on this site was three storeys in height where it fronts the junction and was of a symmetrical angled form that provided a welcoming face with large windows and a clock above. This complemented the listed church to the rear. Whilst the proposed design of the new-build element has been amended to slightly reduce the proportion of solid wall to brick glazing, there is still little interaction with the street and the overall scale, massing, roofscape and materials are unchanged. There remains a somewhat uncomfortable relationship between the new build element of the scheme and the church behind. The church tower and spire is a key landmark which policy DM2.5 protects from any development which would block or detract from important views. We consider that further design work is required to the new-build element to better reveal and complement this landmark.

As set out previously, whilst the environmental challenges of building residential accommodation in this location are acknowledged, we consider that the scheme's detailed design response is disappointing and it would not make a positive contribution to the character and appearance of this important site, in terms of its role in the local townscape and as an important landmark identified in the development plan.

## **Heritage Statement**

The Heritage Statement still incorrectly refers in paragraphs 4.1, 4.11 and 6.4 to the former PFS and its forecourt as being vacant/underused. The site is not vacant but is in full use by Exan, a thriving local business, and is vital to Exan's ongoing operations.

## **Affordable Housing**

As per our previous representations, the residential mix of the affordable units is not compliant with LBI policy DM3.1 and we question whether the applicant has provided evidence that the required mix cannot be achieved. We do, however, welcome the commitment to increase the overall percentage of affordable housing provision and the number of units being made available to the LBI (as opposed to the City of London).

## **Application Form**

The previously submitted application form is referred to as 'redacted' on LBI's database; however a revised version has not been uploaded. Without this we are unable to comment on whether the following inaccuracies have been rectified:

- 1 In section 15, the existing use was described as community use (use class D2) and car storage (use class B8). Whilst Exan use the external areas for car storage, the existing building is in B1(a) use (office) and B2 use (general industrial – car workshop).
- 2 The non-residential floorspace set out under section 19 was incorrect and required amending to remove the 124sqm of B8 floorspace and replace it with 60sqm of B1(a) office use and 140sqm of B2 workshop use.
- 3 Under section 19 the D1 use was incorrectly stated. There is 963sqm of existing D1 use floorspace on site (the IAF), the entirety of which is to be lost due to the proposed change of use and some demolition. Therefore the column for 'gross internal floorspace to be lost by change of use or demolition' should be 963sqm. We note this does not accord with the Planning Statement which refers to 957.7sqm of D1 floorspace.

In addition to the clarifications above the application form requires updating to reflect the amendments to the non-residential floorspace and residential units forming part of the amended scheme.

## **Conclusions**

We consider that there are important issues which remain outstanding and should be addressed before this application is progressed to Planning Committee. We would be grateful if you could share these comments with the applicant.

Please keep us informed of progress and in particular any planned date for the application to be considered by the Planning Committee. Subject to the response to the above issues, our client may wish to address Committee Members. If you have any queries regarding the content of this letter, please contact me or my colleagues, Sophie Hitchins or Zoe Simmonds.

Yours sincerely



### **Iain Rhind**

Senior Director, Head of Heritage

Copy

Cllr Asima Shaikh  
Cllr Richard Watts  
Cllr Rakhia Ismail  
Cllr Paul Smith  
Cllr Diarmaid Ward  
Cllr Robert Khan  
Frixos Charalambous, Nexlynn Holdings Ltd



# **Annex 1: Representation Letter Dated 15 April 2015**

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Date 15 April 2015  
Our ref 07072/02/IR/SH/8750783v2  
Your ref P2015/0330/FUL

Dear Mr Kaimakamis

### **Proposed Development at Exan Coachworks and Islington Arts Factory, Parkhurst Road: Application Ref. P2015/0330/FUL**

We refer to the above development proposal and the planning application which was recently submitted to the Council by the City of London (ref. P2015/0330/FUL). We act on behalf of the occupier of 392 Camden Road, Nexlynn Limited, trading as the Exan Coachworks Accident Repair Centre (Exan). Exan are also the leaseholders of the "Island Site" known as the Athenaeum Service Station (forming part of the application site) which they have occupied for the purpose of their business since 1997. The City of London Corporation is their landlord for this Island Site.

### **The Exan Coachworks and its Role in the Local Area**

The Exan Coachworks has been based at 392 Camden Road for over 40 years and the Island Site (part of the land subject of the above planning application) for almost 20 years. The Island Site external forecourt is used by Exan for car storage whilst the building fronting this forecourt is used as an ancillary workshop with office space; this part of the site performs an essential role in the operation of the Exan Coachworks, a busy accident repair centre. We understand that without these facilities in the immediate locality our client's business could not be sustained. Exan therefore has significant concerns in relation to the proposed development. In addition, our client is concerned that the existing use of the site is not reflected in the description of the planning application since, plainly, the application site is in use for more than the Islington Arts Factory (IAF) (D1 use) and 'storage' (B8 use).

Exan is a leading accident repair centre and provides a vital role in the motor and insurance industries for car owners in north London. The business currently employs 26 staff (which does increase seasonally) some of whom live in the Borough of Islington, and has trained many new employees and school leavers through apprenticeship programmes. As a result, Exan makes an important direct and indirect contribution to the local economy. The main Exan site at 392 Camden Road and the site subject to this planning application together form a designated Employment Growth Area (EGA) and development plan policies seek to protect all existing employments uses



in the Borough, with stringent controls in EGAs. Exan also plays a community role by sponsoring local organisations such as the Vox Holloway Choir in neighbouring Hillmarton Road.

On the basis of the above, Nathaniel Lichfield & Partners has reviewed the submitted planning application and we set out below our comments on a number of matters which we trust the Council will review and address appropriately.

### **Leasehold Interest in the Application Site**

The Island Site is occupied under a lease protected under the Landlord and Tenant Act 1954, meaning that Exan has the statutory right to renew its lease. The City of London will oppose such renewal if planning permission is given for the proposed development. Such permission threatens the continuation of Exan's business and the future employment of its employees. This is because Exan cannot operate without the Island Site currently leased from the City of London and no alternative site in close proximity to the main coachworks has been agreed.

### **Alternative Premises**

The City of London is aware through various 'without prejudice' discussions of the threat posed by the present application to the future of the Exan business and the potential loss of employment. To seek to avoid this Exan are open to the offer by the City of London of a lease of suitable alternative premises. No formal offer has been made at the date of this letter. Before the current planning application is determined, a solution needs to be found by the City of London that meets the requirements of Exan as a longstanding tenant and it is critical that the provision of such a site is a pre-commencement condition or obligation of any permission. Any alternative site will need to meet the following important considerations (which are not intended to be exhaustive):

- Economic – an alternative site will need to be affordable and not involve Exan incurring significant additional costs associated with relocation
- Physical – the site will need to be in a convenient location which is readily accessible to both employees and customers
- Environmental – the site will need to be suitable for the intended use without planning restrictions or the potential for other environmental concerns

Whilst Exan considers the current application should be refused (as addressed further below), our client is willing to discuss the relocation of the business to an alternative site with the City of London and the Council. It is essential that our client is given the necessary comfort that their business will not suffer as a result of the proposed development, particularly given the policy protection for this site and businesses such as this. If permission should be granted, stringent conditions should be attached to protect the business and the interests of its employees.

### **Planning Application Errors**

There are a number of errors in the application documents. We have sought to clarify these below.



## Planning Application Form

Under section 15, the 'existing use' is described as "*community use (use class D2) and car storage (use class B8)*". This is incorrect; Exan use the external areas for car storage, but the existing building is part in B1(a) use (office) and part in B2 use (general industrial – car workshop).

The non-residential floorspace set out under section 19 is incorrect and needs amending. In relation to the existing gross floorspace, the 124sqm of B8 should be deleted and replaced with 0sqm. The existing B-use floorspace comprises approximately 60sqm of B1(a) office use and 140sqm of B2 workshop use. With the IAF floorspace (D1 use) this generates a total of 1163sqm of existing floorspace on site, 200sqm of which is in B class employment use. Therefore, with the proposed provision of 52sqm of B1(a) office space, there is a net loss of 8sqm of B1(a) floorspace and a net loss of 140sqm of B2 floorspace (a total net loss of employment floorspace of 148sqm).

We also note that under section 19 of the form, the D1 use has been incorrectly recorded. There is 963sqm of existing D1 use floorspace on site (the IAF), the entirety of which is to be lost due to the proposed change of use and some demolition. Therefore the column for 'gross internal floorspace to be lost by change of use or demolition' should be 963sqm which would, with the proposed provision of 695sqm of D1 space, generate a net loss of 268sqm of D1 floorspace.

In terms of non-residential floorspace, there is therefore a total net loss on site of 416sqm (not a net addition of 411sqm as stated on the application forms).

## Planning Statement

Sections 2.6 and 2.11 of the Planning Statement refer to Exan's part of the site as being used for 'car storage'. 'Table A' states there is 124sqm of car storage (B8) floorspace on site. These references are incorrect. Cars are stored on the external forecourt as part of the car repair business (i.e. they are rotated on a short term basis as they are queued and repaired) but the building on site comprises 200sqm of floorspace, 140sqm of which is a workshop and 60sqm of which is in office use (ancillary to the operations at 392 Camden Road). The role of each part of this site is vital to the continued operation of the Exan business, as it has been for the last 20 years.

Section 2.11 refers to car parking on the site for approximately 30 cars at any one time. However, the site can accommodate 48 cars on the forecourt (which is almost always at capacity) and six cars within the workshop; the site therefore has capacity for a total of 54 cars when parked comfortably, with capacity for additional cars during busy periods by implementing a tighter parking layout.

'Table B' sets out the community floorspace by 'facility', stating this excludes circulation and admin spaces. We note that the existing provides 407sqm and the proposed 440sqm. However, this does not account for the remaining 556sqm of existing D1 floorspace on site. Whilst it may be underused, we understand it has a function and the Planning Statement is misleading by stating there is a quantitative benefit in 'community floorspace'. Some facilities are being expanded (such as the art studios) but others are being significantly reduced in their provision (gallery space and dance studios) and there is no room for their expansion as part of the new facilities. We consider further explanation and justification is required in relation to the substantial loss of community floorspace and some of the existing facilities, in accordance with Policy DM4.12.



Finally we note that the Planning Statement at para. 6.2 states that the provision of 52sqm of office use constitutes 'new B1 employment floorspace on the site' and therefore complies with the requirements of the Council's policies for an EGA. As set out above, there is 200sqm of existing B use class employment floorspace and therefore a net loss proposed; the proposals do not accord with Islington's policies on EGAs. This is addressed further under the Planning Assessment section below.

### **Heritage Statement**

The Heritage Statement, prepared by Maddox Associates, repeatedly refers to the 'former garage forecourt' as being 'vacant', utilised only for 'car storage'. This is incorrect. The site is not vacant but is in full use by Exan, a thriving local business. This part of the site is vital to Exan's ongoing operations and provides offices and a workshop as well as storage for cars.

### **Planning Assessment**

We have reviewed the proposed development in the context of relevant planning policy, alongside the assessment section of the Maddox Associates Planning Statement and the Richard Partington Architects Design & Access Statement. We set out below our comments.

### **Principle of Development and Land Use**

#### Policy Context

The Islington Core Strategy makes clear that growth in employment must be maintained in the Borough (Objective 1). Specific to Nag's Head and Upper Holloway Road (the 'key area' within which the site lies) there is a policy requirement (CS3) to maintain and enhance the provision of employment spaces which will be important in contributing to the diversity of the local economy and to provide opportunities for small and medium business. Overall, it is anticipated that employment in Islington will increase by 35,000 to 45,000 jobs between 2012 and 2027, just over 50% of which will be provided by B-use floorspace. The 'key areas' (excluding Bunhill and Clerkenwell and King's Cross) are expected to account for over 10% of this growth, which is likely to be focused in existing employment locations (such as the application site) and town centres. On this basis, Policy CS13 states that existing business space will be protected against change of use to non-business uses and development which improves the quality and quantity of existing provision will be encouraged; in exceptional circumstances, loss of employment floorspace might be acceptable in line with the Development Management Policies (DMP).

Chapter 5 of the DMP document addresses employment, focusing on offices, workshops, and industrial and warehousing uses, promoting new/intensified floorspace and protecting existing business floorspace. As noted, the application site falls within an EGA (along with the Exan Coachworks site at 392 Camden Road, as shown on the Policies Map extract below (in brown)) and is therefore subject to strict controls under Policy DM5.1 and DM5.2.



Policy DM5.1 states that in EGAs, the intensification, renewal and modernisation of existing business floorspace will be encouraged and proposals for the redevelopment or change of use of existing business floorspace must incorporate i) the maximum amount of business floorspace reasonably possible; and ii) a mix of complementary uses including active frontages where appropriate.

This is further emphasised in Policy DM5.2, which states:

*“Proposals that would result in a loss or reduction of business floorspace will be refused unless the applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence which shows there is no demand for the floorspace. This evidence must demonstrate that the floorspace has been vacant and continuously marketed for a period of at least two years. In exceptional cases related to site-specific circumstances, where the vacancy period has been less than two years, a robust market demand analysis which supplements any marketing and vacancy evidence may be considered acceptable”.*

In addition, in EGAs the loss or reduction of business floorspace will be resisted where “...the proposal would have a detrimental individual or cumulative impact on the area’s primary economic function (including by constraining future growth of the primary economic function)”.

#### Assessment of Proposed Land Use

On the basis of the above it is clear that the proposed development conflicts with LB Islington’s policies, as well as those of the NPPF (paras. 21 and 22) and the London Plan which seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London (policy 4.1).

EGAs are designated for their economic potential or value. The proposed development subject to this planning application does not make the intensification and renewal of business floorspace a key priority (as policy requires), nor does it demonstrate that the amount of business floorspace has been optimised. There is no evidence, either of market demand or vacancy, which could be used to justify the approach taken by the applicant in accordance with Policy DM5.2.

The scheme would result in the loss of existing business use (the Exan part of the site) including 200sqm of floorspace, which would have a significant impact on the business’s future operation. The proposed development includes only 52sqm of office B1(a) floorspace, a net loss of 148sqm, for the use of the City of London as opposed to Exan. In accordance with DM5.2, loss or reduction is only permitted in exceptional circumstances. The applicant has provided no evidence that there



is a lack of demand for the floorspace, or that it has been vacant for the necessary period. Clearly this cannot be provided to the Council as Exan has occupied this site for the last 20 years and continues to do so. The site is in full operational use and Exan requires its ongoing use to support its business; demand therefore exists.

In respect to part B of Policy DM5.2, we note that the EGA includes the application site along with the Exan site on the south side of Camden Road. As set out in the DMP, the success of EGAs depends on there being a critical mass of economic activities which supports their long-term vitality and viability. Therefore, the proposed loss of employment use and the potential impact this will have on the future of the Exan Coachworks will have a detrimental impact on the EGA's primary economic function; it jeopardises the future of this business and therefore the EGA itself.

Finally we note that the proposed office floorspace (52sqm) will support four City of London jobs (it is not clear in the application documents whether these will be 'new' jobs, or simply jobs transferred from the existing Holloway Estate office). We question whether 26 full time jobs at Exan, including those held by residents of the LB Islington, should be jeopardised for this very limited compensating level of employment.

In summary, the proposed development is unacceptable in principle as it does not meet the policies of the Core Strategy (CS13) and Development Management Policies (DM5.1 and DM5.2) in relation to employment uses and the protection of the EGA.

### **Affordable Housing**

LB Islington's policy (CS12) is that 50% of new housing should be affordable, with a requirement for a mix of unit sizes. In the social rented sector the mix should be 0% 1 bed, 20% 2 bed, 30% 3 bed and 50% 4 bed or more. The proposed development does not comply with policy CS12 or policy DM3.1.

Whilst 69% of the units are to be affordable (social rented) the City of London is offering only 35% of these 20 units (7 units) to the LB Islington; the remaining 14 units will meet the City of London's requirements. As the Council set out at the pre-application stage when 25% of the affordable units were offered to LB Islington, this does not accord with policy and will fail to meet the Borough's pressing need for affordable housing. Of the 29 residential units proposed, only 24% are being offered to LB Islington as affordable housing. There is no justification provided for this approach and there can be no viability argument which requires it, given the units would be offered as social rented housing by the City of London in any case.

In addition, we note that the unit mix offered for the social rented units comprises 10 x 1 beds, eight 2-beds and two 3-beds. This does not meet the required mix as set out under Policy DM3.1. Given the affordable is a new-build element rather than a conversion, there does not appear to be appropriate justification for this significant under-provision of family units.

### **Design Considerations**

The Camden Road New Church Tower and Spire are identified under Policy DM2.5 as a 'landmark'. The Council will protect views of this landmark and "...exercise stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views". We also note that the site falls within the Hillmarton Conservation



Area and the church building (occupied by the IAF) is identified as an important landmark under the conservation area guidance. This is therefore a sensitive and prominent site and the design approach must be of the highest quality.

The proposal to restore the steeple of the former church is welcomed. However, our client is concerned that the new build element, as proposed, is of an uninspiring design with a lack of articulation which does not respond well to the historic buildings on site. The proposed design contains a very high proportion of solid wall to glazing with a lack of active frontages. The corner section, which contains the café, should be an active street-facing element but little interaction is created given the high proportion of vertical brickwork. On the north and south facades, the brick building faces and lack of activity create harsh and unwelcoming elevations. We also note that the Athenaeum previously located here was three stories in height fronting the junction, of a symmetrical angled form and a flat and welcoming face on to the Y-junction containing large windows with a clock above and with a clearly defined entrance. Its layout, massing and design complemented the church behind. In contrast, the proposed visualisations show an uncomfortable relationship between the new build element and the church tower behind, a key landmark. The scale, massing, roofscape, fenestration and materials of the new build element, should be altered to better reveal and complement the church behind.

While the environmental challenges of building residential accommodation in this location are acknowledged, we consider that the scheme's detailed design response is disappointing and it would not make a positive contribution to the character and appearance of this important site, in terms of its role in the local townscape and as an important landmark identified in the development plan. Accordingly, we consider that the Council should seek a revised approach to the design of the new-build block.

Please keep us informed in terms of progress with this application and in particular any planned date for the application to be considered at the Planning Committee. If you have any questions regarding the content of this letter, please contact me or my colleague Sophie Hitchins.

Yours sincerely

A handwritten signature in black ink that reads 'I. J. Rhind'.

**Iain Rhind**

Senior Director, Head of Heritage

Copy

Cllr Asima Shaikh  
Cllr Richard Watts  
Cllr Rakhia Ismail  
Cllr Paul Smith  
Cllr Diarmaid Ward  
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Frixos Charalambous, Nexlynn Holdings Ltd